



Administrative Policies and Procedures: 21.18

Subject:	Notification to School Principals of Certain Delinquent Adjudications
Authority:	TCA § 37-1-131 and 37-1-153; 37-1-154 and 49-6-3051
Standards:	None
Application:	All Department of Children's Services Employees

Policy Statement:

The Department of Children's Services, "acting in any capacity", shall report directly to school principals certain adjudications as required by Tennessee Law.

Purpose:

To ensure that school principals are notified of certain adjudications of children/youth that attends public schools as required by State law.

Procedures:

A. Who should report?	DCS Family Services Workers or DCS Juvenile Justice Group Home Directors must report these adjudications as required by Tennessee Law.
A. Which child/youth should have adjudications reported?	<ol style="list-style-type: none">Any child/youth in the legal custody of DCS, whether or not they are committed as dependent and neglected, unruly or delinquent;Any youth on aftercare; andAny youth on state probation.
B. Which adjudications must be reported?	<ol style="list-style-type: none">ONLY these adjudications may be reported:<ol style="list-style-type: none">First degree murder,Second degree murder,Rape,Aggravated rape,Rape of a child,Aggravated robbery, especially aggravated robbery, kidnapping,Aggravated kidnapping, especially aggravated kidnapping,Aggravated assault, or

	<ol style="list-style-type: none">i) Felony reckless endangerment. This includes “attempted”, “solicitation of” and/or “conspiracy to commit” as an adjudication.2. Adjudications must be reported no matter how long ago the adjudication occurred or how many new adjudications have occurred since. All must be reported every time a child/youth goes to a new school or re-enrolls in a former school.3. Under current law, PENDING charges cannot be reported. Only adjudications, i.e., “guilty” or “true to the petition” findings can be reported by DCS without a specific court order that gives DCS the authority to do so. (TCA 37-1-131)
C. What should be used to report these adjudications?	<ol style="list-style-type: none">1. Form CS-0703, Adjudication Notification to School Principals shall be used when providing the required information to school principals. Update the form or complete a new and/or additional form every time there is a new adjudication.2. Keep a copy of all the old forms in the child/youth’s case file in the Education portion of the child/youth’s case file and not in the Education Passport.3. No court order, law enforcement records, or proof of such adjudication other than the form itself shall be included with the form <u>since it is a violation of law to otherwise provide such documents without a court order.</u> (TCA Section 37-1-153 and 37-1-154)
D. When do these adjudications have to be reported?	<ol style="list-style-type: none">1. Within five (5) days of the time the court order is first entered on the delinquency.2. BEFORE the child is re-enrolled at the former school or is enrolled in a new school.3. Each and every time the child/youth changes schools even if the new school is in the same school system.
E. How to convey the form to principals & document	<ol style="list-style-type: none">1. The child/youth’s Family Service Worker shall complete the notification form and review it with the Education Specialist. Any corrections will be made at this time.2. The Family Service Worker will address an envelope to the school and clearly mark the envelope with the following phrases: “ATTENTION: Principal’s Name” “CONFIDENTIAL – FOR PRINCIPAL’S EYES ONLY BY LAW.”3. The form must be placed in the envelope and sealed with glue and tape to emphasize that the information is protected by law.4. Whenever possible, the Education Specialist will <u>hand deliver</u> the form to the principal and obtain his/her signature as proof of delivery. A <u>copy</u> of the

	<p>signed form shall be returned by the Education Specialist to the Family Service Worker and placed in the Education portion of the child/youth's case file and not in the Education Passport.</p> <p>5. If the Education Specialist is unable to hand-deliver the envelope and form, he/she will mail the envelope via certified mail. The mailing receipt will be attached to a copy of the form by the Education Specialist and returned to the Family Service Worker to be placed in the Education portion of the child/youth's case file and not in the Education Passport.</p> <p>6. Add the postal service proof of receipt by the school to the postal service proof of mailing and attach them to the copy of the form sent to the principal, so that all are in the Education portion of the child/youth's case file and not in the Education Passport.</p> <p>7. This form must never be transmitted via facsimile (fax).</p> <p>8. Follow this procedure each and every time the student attends a new school or re-enrolls in a former school.</p>
F. Responsibility of the school	<p>1. The report/form cannot be kept in the child's regular cumulative file or special education file. Violation of this is a Class C misdemeanor.</p> <p>2. The form must be kept confidentially with the principal.</p> <p>3. The principal cannot discuss this with anyone whatsoever except for employees of the school having responsibility for classroom instruction of the child.</p>

Forms:	<i>CS-0703, Adjudication Notification to School Principals</i>
Collateral documents:	<i>None</i>